IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE ELEVENTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

WRIT PETITION NO : 20836 of 2004

Between:

1. J.Ramanamma, W/o Venkataramana, aged about 35 years, 1st Ward Member, Alamanda gram Panchayat, Jami Mandal, Vizianagaram District.

2. Gedala Vara Lakshmi, W/o Appala Naidu, aged about 40 years, 2nd Ward Member, Alamanda Gram Panchayat, Jami Mandal, Vizianagaram District.

3. Beela Chandramma, W/o Chinna Chinnodu, aged about 50 years, 6th Ward Member, Alamanda Gram Panchayat, Jami Mandal, Vizianagaram District.

4. Singampally Chandraiah, S/o late Sanyasulu, aged about 50 years, 7th Ward Member, Alamanda Gram Panchayat, Jami Mandal, Vizianagaram District.

5. Patrula Ramu Naidu, S/o late Kannaiah, aged about 45 years, 8th Ward Member, Alamanda Gram Panchayat, Jami Mandal, Vizianagaram District.

6. L.Venkata Rao, s/o Demudu, aged about 39 years, 11th Ward Member and Vice President, Alamanda Gram Panchayat, Jami Mandal, Vizianagaram District.

7. Jana Appalaswamy, S/o late Chinnodu, aged about 58 years, 12th Ward Member, Alamanda Gram Panchayat, Jami Mandal, Vizianagaram District.

8. S.Gopala Rao, S/o Ramu Naidu, aged about 31 years, 14th Ward Member, Alamanda Gram Panchayat, Jami Mandal, Vizianagaram District.

..... PETITIONERS

AND

1. The District Collector, Vizianagaram District.

2. The District Panchayat Officer, Vizianagaram.

3. The Sarpanch, Alamanda Gram Panchayat, jami Mandal, Vizianagaram District.

4. The Executive Officer (Panchayat Secretary), Alamanda Gram Panchayat, Jami Mandal, Vizianagaram District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ, Order, Direction more particularly one in the nature of Writ of Mandamus directing the 1st Respondent to consider and dispose off the representations of the petitioners dated 26.8.2004.

Counsel for the Petitioners:MR.G.RAMA GOPAL

Counsel for the Respondents: MR.DANTU.SRINIVAS

The Court, at the stage of admission, made the following :

ORDER

Petitioners, who are all claiming to be Ward Members of Alamanda Gram Panchayat of Vizianagaram District, submitted a representation against the Gram Panchayat, to the District Collector-first respondent herein on 26.8.2004 alleging that no Gram Panchayat Meeting as such was conducted for the past 13 months and for the last 10 months no drinking water is being provided to the residents of the Gram Panchayat. It was also alleged in the representation that though the Gram Panchayat in its meeting unanimously approved for implementation of four works, with costs of Rs.70,000/- each, for one work, the amount of Rs.70,000/- was altered to Rs.3,00,000/- while sending the proposals to the higher authorities. This writ petition is filed complaining inaction on the part of the first respondent in considering the said representation of the petitioners.

Without expressing any opinion on the allegations made against the respondents 3 and 4, the first respondent-District Collector is directed to enquire into the allegations made in the representation of the petitioners dated 26.8.2004 and pass appropriate orders after due notice and opportunity to the parties, who are likely to be effected, within a period of three (3) months from the date of receipt of a copy of this order, and communicate a copy of the same to the petitioners. However, this order cannot be understood that this Court has accepted that the respondents 3 and 4 have committed illegalities as alleged by the petitioners, but it is for the first respondent to ascertain the same during the course of enquiry.

With the above direction, the writ petition is disposed of at the stage of admission. No costs.

A. GOPAL REDDY. J.

11th November, 2004

tsr.

To

1. The District Collector, Vizianagaram District.
2. The District Panchayat Officer, Vizianagaram.
3. The Sarpanch, Alamanda Gram Panchayat, jami Mandal, Vizianagaram District.
4. The Executive Officer (Panchayat Secretary), Alamanda Gram Panchayat, Jami Mandal, Vizianagaram District.
5. Two C.C.s to Government Pleader for Revenue, High Court Buildings, Hyderabad.(OUT)
6. Two C.D. copies.